

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

STEPHEN McCOLLUM, STEPHANIE	§	
KINGREY, and SANDRA McCOLLUM,	§	
individually and as heirs at law to the Estate of	§	
LARRY GENE McCOLLUM,	§	
PLAINTIFFS	§	
	§	
v.	§	CIVIL ACTION NO. 3:12-CV-2037-L
	§	
BRAD LIVINGSTON, JEFF PRINGLE, and	§	
TEXAS DEPARTMENT OF CRIMINAL	§	
JUSTICE.	§	
DEFENDANTS	§	

**PLAINTIFFS' UNOPPOSED MOTION FOR LEAVE  
TO FILE THEIR FIRST AMENDED COMPLAINT**

Plaintiffs, STEPHEN McCOLLUM, STEPHANIE KINGREY, and SANDRA McCOLLUM, individually and as heirs at law to the Estate of LARRY GENE McCOLLUM file this Motion for Leave to File Their First Amended Complaint and would show the Court as follows:

The deadline to add parties and amend claims is April 2, 2013.

After filing their Original Complaint alleging that the Texas Department of Criminal Justice and several employees violated Larry Gene McCollum's constitutional rights and caused his death on July 28, 2011, Plaintiffs discovered additional facts that indicate Plaintiffs have claims against other defendants.

Accordingly, Plaintiffs seek leave to amend to add factual detail and to name additional defendants.

Plaintiffs have contacted Counsel for Defendants and he is not opposed to this motion.

As leave to amend should be freely given pursuant to Rule 15 and the pleading deadline has not passed, Plaintiffs ask the Court to grant Plaintiffs' motion for leave to file their First

Amended Complaint, which is attached as Exhibit A to this motion.

Respectfully submitted,

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*Local Counsel*

ATTORNEYS FOR PLAINTIFFS

**CERTIFICATE OF CONFERENCE**

Plaintiffs have contacted Counsel for defendants. None are opposed to this motion.

**CERTIFICATE OF SERVICE**

I hereby certify that on the 2<sup>nd</sup> day of April 2013, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following:

Bruce R. Garcia  
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By /s/ Jeff Edwards  
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